

EXHIBIT G

Deposition of Daniel Bryan Kelley

Part I

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IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF ALABAMA
NORTHERN DIVISION

CASE NUMBER: 2:05-CV-1150-T

DANIEL BRYAN KELLEY,

Plaintiff,

vs.

RICKY OWENS, ET AL.,

Defendants.

BEFORE:

SARA MAHLER, Commissioner.

APPEARANCES:

RICHARD STOCKHAM, ESQUIRE, of
STOCKHAM, CARROLL & SMITH, 2204 Lakeshore
Drive, Suite 114, Birmingham, Alabama 35209,
appearing on behalf of the Plaintiff.

KRISTI MCDONALD, ESQUIRE, of
MCDONALD & MCDONALD, 1005 Montgomery
Highway, Birmingham, Alabama 35216,
appearing on behalf of the Defendants, Wendy
Roberson, Terry Wilson, Al Bradley.

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I N D E X
EXAMINATION

PAGE

By Ms. McDonald 8
By Mr. Willford 218

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IT IS FURTHER STIPULATED AND
AGREED that the signature to and the reading
of the deposition by the witness is waived,
the deposition to have the same force and
effect as if full compliance had been had
with all laws and rules of Court relating to
the taking of depositions.

IT IS FURTHER STIPULATED AND
AGREED that it shall not be necessary for
any objections to be made by counsel to any
questions except as to form or leading
questions, and that counsel for the parties
may make objections and assign grounds at
the time of the trial, or at the time said
deposition is offered in evidence, or prior
thereto.

IT IS FURTHER STIPULATED AND
AGREED that the notice of filing of the
deposition by the Commissioner is waived.

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IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF ALABAMA
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CASE NUMBER: 2:05-CV-1150-T

DANIEL BRYAN KELLEY,

Plaintiff,

vs.

RICKY OWENS, ET AL.,

Defendants.

 COPY

S T I P U L A T I O N

IT IS STIPULATED AND AGREED by and
between the parties through their respective
counsel, that the deposition of Daniel Bryan
Kelley may be taken before Sara Mahler, CSR,
at the Coosa County Courthouse, at 100 Main
Street, Rockford, Alabama 35136, on the 3rd
day of April, 2007.

DEPOSITION OF DANIEL BRYAN KELLEY

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1 MR. WILLFORD: The usual ones.
2 MS. MCDONALD: All right.
3 MR. STOCKHAM: I've run across
4 that -- Usual objections are to form, and
5 all --
6 MR. WILLFORD: Form only. All
7 other objections are --
8 MR. STOCKHAM: -- reserved.
9 MR. WILLFORD: -- reserved
10 for trial. Are we going to waive reading
11 and signature?
12 MR. STOCKHAM: Waive reading
13 and signature.
14 MS. MCDONALD: Anything else
15 y'all want to do?
16 MR. STOCKHAM: No, that's all.
17 MS. MCDONALD: Okay.
18 MR. WILLFORD: Okay.
19 EXAMINATION
20 BY MS. MCDONALD:
21 Q. Will you state your name,
22 please, sir?
23 A. I'm Daniel Bryan Kelley.

1 the room.
2 VIDEOGRAPHER: Can they
3 identify themselves?
4 MR. STOCKHAM: Sure.
5 VIDEOGRAPHER: If everyone
6 would just state your name.
7 MR. OWENS: Ricky Owens.
8 MR. KELLEY: I'm Melvin Ray
9 Kelley, father of the Defendant.
10 MS. KELLEY: I'm Mary Wanda
11 Kelley, Bryan's mama.
12 MR. WILSON: Terry Wilson.
13 MR. BRADLEY: Al Bradley.
14 DANIEL BRYAN KELLEY,
15 being first duly sworn, was examined and
16 testified as follows:
17 COURT REPORTER: Usual
18 stipulations?
19 MR. WILLFORD: Yes.
20 MS. MCDONALD: Yes.
21 MR. STOCKHAM: Would you state
22 what usual stipulations you're stipulating
23 to.

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1 the following proceedings were had:
2 VIDEOGRAPHER: Here begins
3 videotape number one in the deposition of
4 Daniel Bryan Kelley in the matter of Daniel
5 Bryan Kelley versus Ricky Owens, et al.,
6 case number 2:05-CV-1150-T. We're on the
7 Record at 9:34 a.m. on Tuesday, April 3rd,
8 2007. This deposition is taking place at
9 the Coosa County Courthouse in Rockford,
10 Alabama. And the videographer is Jeff
11 Totherow.
12 Will counsel please identify
13 yourselves and state who you represent.
14 MR. STOCKHAM: I am Richard
15 Stockham, and I represent the Plaintiff.
16 MS. MCDONALD: I'm Kristi
17 McDonald. I represent defendants Terry
18 Wilson, Al Bradley, and Wendy Roberson.
19 MR. WILLFORD: I'm Gary
20 Willford. I represent the Defendant, Ricky
21 Owens.
22 MR. STOCKHAM: Before you go
23 any further, could you identify everyone in

1 APPEARANCES (Continued):
2 GARY L. WILLFORD, JR., ESQUIRE, of
3 WEBB & ELEY, 7475 Halcyon Pointe Road,
4 Montgomery, Alabama 36124, appearing on
5 behalf of the Defendant, Ricky Owens.
6 ALSO PRESENT: MARY WANDA KELLEY
7 MELVIN RAY KELLEY
8 RICKY OWENS
9 TERRY WILSON
10 AL BRADLEY
11 JEFF TOTHEROW
12 * * * * *
13
14 I, SARA MAHLER, CSR, a Court
15 Reporter of Wetumpka, Alabama, acting as
16 Commissioner, certify that on this date, as
17 provided by the Federal Rules of Civil
18 Procedure and the foregoing stipulation of
19 counsel, there came before me at the Coosa
20 County Courthouse, 100 Main Street,
21 Rockford, Alabama 35136, beginning at 9:30
22 a.m., Daniel Bryan Kelley, witness in the
23 above cause, for oral examination, whereupon

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1 A. Yes, ma'am.

2 Q. How long have you lived at

3 that address?

4 A. Off and on for about eight

5 years.

6 Q. Is that the house where you

7 grew up?

8 A. No, ma'am.

9 Q. Anybody else live with you,

10 other than your parents?

11 A. No, ma'am.

12 Q. Where did you grow up, Bryan?

13 A. Coosa County.

14 Q. What is your date of birth?

15 A. 6/17/71.

16 Q. And your Social Security

17 number?

18 A. 420-25-6528.

19 Q. Have you ever had another

20 Social Security number that you've used?

21 A. No, ma'am.

22 Q. Have you ever been married,

23 Bryan?

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1 Q. Okay. Do you not have any --

2 Did you take any last night right before you

3 went to bed?

4 A. Yes, ma'am. I take my

5 antipsychotic every night.

6 Q. What type of medication are

7 you on?

8 A. Just Seroquel.

9 Q. Is that the only type of

10 medication you take daily?

11 A. I take Lorcet Plus daily.

12 Q. Are you on any type of

13 medication that would prevent you from

14 testifying today?

15 A. No, ma'am. No, ma'am.

16 Q. Where do you currently live,

17 Bryan?

18 A. As of right now, I live at 800

19 Pineview Lane, Sylacauga, Alabama.

20 Q. And who lives there with you

21 at that address?

22 A. My mother and father.

23 Q. Okay. Is that their house?

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1 nor probably the last, to tell me that my

2 question didn't make sense. Okay? If we

3 can just have that understanding.

4 Otherwise, if you answer my question, I'm

5 going to assume that you understood it.

6 Okay?

7 A. Yes, ma'am.

8 Q. Okay. And likewise, if you

9 need to take a break at any time, all you

10 have do is let us know, for any reason. If

11 you just need to get up, that's fine. If

12 you'll just let us know, we'll stop. Okay?

13 A. Yes, ma'am.

14 Q. Have you ever gone by any

15 other name, Bryan?

16 A. No, ma'am.

17 Q. Just Daniel Bryan Kelley?

18 A. Yes, ma'am.

19 Q. Do you have a nickname?

20 A. No, ma'am.

21 Q. Have you taken any kind of

22 medication today, Bryan?

23 A. Not today.

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1 Q. Mr. Kelley, introduced myself

2 to you earlier. I'm Kristi McDonald; and I

3 represent Terry Wilson, and Al Bradley, and

4 Wendy Roberson in this lawsuit that you

5 filed against them.

6 A. Okay.

7 Q. What name do you go by?

8 A. Bryan Kelley.

9 Q. Do you mind if I call you

10 Bryan?

11 A. No, ma'am.

12 Q. Okay. You're more than

13 welcome to call me Kristi. Okay?

14 A. Thank you.

15 Q. I know that your attorney has

16 probably explained this to you, how this

17 works, but I just want to let you know. If

18 I ask you a question today that you don't

19 understand, if you will please stop me and

20 tell me that you didn't understand it.

21 You're not going to hurt my feelings.

22 A. Yes, ma'am.

23 Q. You won't be the first person,

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1 A. '87 to '89.

2 Q. Where'd you go to trade

3 school?

4 A. Hanover, Coosa County.

5 Q. And did you get a degree from

6 there?

7 A. Yes, ma'am.

8 Q. Okay. What was your degree

9 in?

10 A. Air condition and

11 refrigeration.

12 Q. Do you have a driver's

13 license, Bryan?

14 A. Not as of right now.

15 Q. Have you ever had a driver's

16 license in any other state, other than

17 Alabama?

18 A. No, ma'am.

19 Q. Is your driver's license right

20 now suspended?

21 A. They are, because -- Yes,

22 ma'am, they're suspended.

23 Q. Have you ever lived outside

1 A. No, ma'am.

2 Q. What did y'all get married?

3 A. Talladega County.

4 Q. And where was your divorce

5 filed?

6 A. Talladega County.

7 Q. Do you have visitation with

8 your daughter?

9 A. Yes, ma'am.

10 Q. How often do you get to see

11 her?

12 A. Every two weeks.

13 Q. She's fourteen, I guess she's

14 in what, about the eighth grade now, ninth

15 grade?

16 A. She's going in the ninth, yes,

17 ma'am.

18 Q. Does she go to school in

19 Sylacauga?

20 A. Coosa.

21 Q. Coosa. Where did you go to

22 high school?

23 A. Coosa County.

1 Q. The Coosa County High School?

2 A. No, ma'am. It was Coosa

3 Central.

4 Q. Did you graduate?

5 A. Yes, ma'am.

6 Q. What year did you graduate?

7 A. 1999.

8 Q. Have you had any further

9 education beyond high school?

10 A. Yes, ma'am. I've got one year

11 of college at ACJC.

12 Q. And where is that?

13 A. Alex City.

14 Q. What were you majoring in?

15 A. Business.

16 Q. Anything -- other kind of

17 classes beyond the classes you took there at

18 that school?

19 A. No, ma'am. I took two years

20 of small engines while I was in trade

21 school.

22 Q. When did you go to trade

23 school?

1 A. Yes, ma'am.

2 Q. How many times have you been

3 married?

4 A. Just once.

5 Q. When were you married?

6 A. I was married for nine years,

7 from 1990 until 1999.

8 Q. Who were you married to?

9 A. Marsha Renee Kelley.

10 Q. Did you and Marsha have any

11 children together?

12 A. Yes, ma'am.

13 Q. How many children do you have?

14 A. I've got one daughter.

15 Q. How old is your daughter?

16 A. Fourteen.

17 Q. And does she live with her

18 mom?

19 A. Yes, ma'am.

20 Q. Where do they live?

21 A. Coosa County.

22 Q. Were y'all married in Coosa

23 County?

1 A. Construction.

2 Q. Hard stuff?

3 A. Yes, ma'am.

4 Q. Okay. How long did you work

5 for your dad?

6 A. All my life.

7 Q. Have you had any other job,

8 other than working with your daddy?

9 A. I was military.

10 Q. When were you in the military?

11 A. '90 to '93.

12 Q. What branch did you serve in?

13 A. Army.

14 Q. What type of discharge did you

15 get?

16 A. Honorable, medical.

17 Q. Have you worked for anybody

18 other than your dad?

19 A. Yes, ma'am. Sullivan

20 Graphics.

21 Q. What type of work did you do

22 for them?

23 A. I was a roll man to the press.

1 while you were in Kentucky?

2 A. No, ma'am.

3 Q. And you said you lived in

4 Pigeon Forge, Tennessee?

5 A. Yes, ma'am.

6 Q. Did you ever -- Were you ever

7 arrested while you were in Tennessee?

8 A. No, ma'am.

9 Q. Were you ever hospitalized in

10 either one of those states?

11 A. No, ma'am.

12 Q. Were you working when you were

13 in Kentucky?

14 A. No, ma'am. I'm on disability.

15 Q. What caused you to go to

16 Kentucky?

17 A. A girl.

18 Q. And you did not work while you

19 were there at all?

20 A. No, ma'am.

21 Q. What about while you were in

22 Tennessee?

23 A. No, ma'am.

1 Q. How long have you been on

2 disability?

3 A. Since '97.

4 Q. You graduated from high school

5 in '89?

6 A. Uh-huh.

7 Q. And then went on disability in

8 '97. Did you have a job -- Did you work

9 between those years?

10 A. Yes, ma'am.

11 Q. What was your first job you

12 had after high school?

13 A. Kelley's Roofing and

14 Construction.

15 Q. Was that family?

16 A. Yes, ma'am.

17 Q. Is that your dad's company?

18 A. Yes, ma'am.

19 Q. Did you go to work for your

20 daddy after you got out of high school?

21 A. Yes, ma'am.

22 Q. What type of work did you have

23 you do?

1 the state of Alabama?

2 A. Yes, ma'am.

3 Q. When did you live outside of

4 Alabama?

5 A. As of the year -- I can't

6 remember. But I lived in Kentucky, and

7 Pigeon Forge, Tennessee.

8 Q. Okay. I want to make sure I

9 understand correctly. You did not have a

10 driver's license in either one of those

11 states?

12 A. No, ma'am. I had my regular

13 driver's license.

14 Q. Okay. Can you remember when

15 you lived in Kentucky?

16 A. Around about '98, '99,

17 somewhere in that vicinity.

18 Q. And what about Tennessee?

19 A. 2000.

20 Q. What part of Kentucky were you

21 living in?

22 A. Bowling Green.

23 Q. Did you ever get arrested

1 Kentucky?

2 A. Ma'am?

3 Q. Did you go to the hospital at
4 all while you were in Kentucky?

5 A. No. They sent me to a VA, and
6 I just transferred back to Birmingham.

7 Q. Did you have to have surgery?

8 A. Yes, ma'am.

9 Q. Do you know who did your
10 surgery?

11 A. Dr. Boyd.

12 Q. Did you break your low back?

13 A. L4, L5, and S1.

14 Q. How did you manage to do that?

15 A. I was air assault.

16 Q. And then, when you got
17 disability in 1997, did you get it on your
18 own?

19 A. Yes, ma'am.

20 Q. You didn't have anybody
21 representing you in than that?

22 A. Oh, yes, ma'am, I did.
23 Mr. Booker.

1 Sullivan?

2 A. Ollie Jay. I don't know his
3 last name. It was something Jay. That was
4 his nickname.

5 Q. All right. Let me make sure I
6 understand you. Kelley's Roofing and
7 Construction and Sullivan Graphics are the
8 only two jobs you've ever held?

9 A. Yes, ma'am. Besides the
10 military.

11 Q. While were you at Sullivan
12 Graphics, did you ever get hurt on the job?

13 A. No, ma'am.

14 Q. Never filed a claim for
15 worker's compensation benefits?

16 A. No, ma'am.

17 Q. Is there any particular reason
18 why you left Sullivan Graphics?

19 A. Working midnights a lot.

20 Q. You just got tired of the
21 shift?

22 A. Yes, ma'am.

23 Q. Did you go back to work for

1 your dad after that?

2 A. Yes, ma'am.

3 Q. What medical problems caused
4 you to come out of the military?

5 A. I broke my back.

6 Q. Where were you stationed while
7 you were in the military?

8 A. Fort Knox, Kentucky; Fort
9 Leonardwood, Missouri; Ft. Campbell,
10 Kentucky; Aberdeen Proving Grounds in
11 Maryland.

12 Q. Where were you when you broke
13 your back?

14 A. Fort Knox.

15 Q. Were you hospitalized up in
16 Kentucky with a broken back?

17 A. Yes, ma'am. They flew me to
18 Baptist Montclair.

19 Q. In Kentucky?

20 A. No, ma'am. It's Birmingham.

21 Q. Birmingham. All right. So if
22 I understand you correctly, you didn't go to
23 the hospital at all while you were in

1 Q. Okay. Help me here. What do
2 they do?

3 A. Put big rolls of paper on a
4 machine. They make newspapers -- I made
5 newspapers, stuff like that.

6 Q. Where are they located?

7 A. Sylacauga.

8 Q. Do you recall when you would
9 have worked for them, Bryan?

10 A. Not exactly what year.

11 Q. How close was it to the time
12 when you were on disability that you were
13 working for them?

14 A. Oh, it was a long ways before
15 I went on disability.

16 Q. Closer to the time you got out
17 of high school, then?

18 A. Yes, ma'am.

19 Q. Are they still in business?

20 A. Yes, ma'am. They sold it.
21 They don't own it now. Some other companies
22 bought it out.

23 Q. Who was your supervisor at

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Q. Before that, how long had it been since you were involved in an accident?

A. Oh, probably about 2000.

Q. And then, can you think back past that?

A. No, ma'am. I am not for sure it was 2000; it was around that vicinity.

Q. I won't hold you to it.

A. Okay.

Q. The accident that you had in November of 2006, were you injured in that accident?

A. Yes, ma'am.

Q. What did you hurt?

A. Crushed my lower, right-hand side.

Q. You were taken to the hospital, I'm sure?

A. Yes, ma'am.

Q. Where did you go?

A. UAB Trauma.

Q. Were you life-flighted there?

A. Yes, ma'am.

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A. To the best of my recollection.

Q. I know you don't currently have your driver's license, but do you know your driver's license number off the top of your head?

A. Yes, ma'am.

Q. What is it?

A. 5555951.

Q. That's an easy one to remember, isn't it?

A. Yes, ma'am.

Q. You got lucky on that one. When was the last time you've been involved in an automobile accident?

A. November the 3rd.

Q. This past November?

A. Yes, ma'am.

Q. November the 3rd of 2006?

A. Yes, ma'am.

Q. And that would have taken place in Sylacauga?

A. Yes, ma'am.

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A. No, ma'am.

Q. Have you ever filed for bankruptcy?

A. Yes, ma'am.

Q. When was that?

A. Probably around '96, '97. Somewhere in that vicinity.

Q. Were you still married at the time?

A. Yes, ma'am.

Q. Okay. Where were y'all living?

A. Sylacauga.

Q. Have you ever been involved in any automobile accidents?

A. Yes, ma'am.

Q. How many?

A. Three, four. Somewhere in that vicinity.

Q. Okay. Where would those accidents have occurred?

A. Sylacauga.

Q. All of them?

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Q. What type of problems caused you, other than I'm sure your back, were you having any other health problems that caused you to get Social Security disability?

A. No, ma'am.

Q. You filed that strictly on your back problems?

A. Yes, ma'am.

Q. Has there ever been a time since you started getting Social Security when your benefits have been stopped?

A. No, ma'am.

Q. Did you continue to get your benefits while you were in jail?

A. Yes, ma'am.

Q. Have you ever filed for unemployment?

A. No, ma'am.

Q. Have you ever been involved in any other lawsuits, other than this one, Bryan?

A. No, ma'am.

Q. Have you ever been sued?

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1 time that you recall?

2 A. I really don't recall.

3 Q. Can you tell me the different

4 places that -- where you've been when you've

5 been arrested?

6 A. Sylacauga, once or twice in

7 Talladega County, and Coosa County. That's

8 it.

9 Q. Okay. So four places; right?

10 A. Just three. Sylacauga,

11 Talladega County, and Coosa County.

12 Q. Do you currently have any

13 charges pending against you in any of those

14 counties?

15 A. No, ma'am.

16 Q. Or any of those places?

17 A. Ma'am?

18 Q. You don't have any charges

19 pending against you in any of those places?

20 A. No, not as I recollect.

21 Q. Were there any charges brought

22 against you, or the other driver, for the

23 accident that you had back in November of

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1 A. We was teenagers, we used to

2 do fighting in town.

3 Q. And that was when you were

4 still living in Coosa County?

5 A. Let me see. Yes, ma'am, I was

6 living there, then.

7 Q. Who would have arrested you?

8 A. Sylacauga.

9 Q. All right. So the first time

10 that you remember getting arrested was in

11 Sylacauga for fighting?

12 A. Yes, ma'am, as I can remember.

13 Q. When you were still a

14 teenager?

15 A. Yes, ma'am.

16 Q. Were you charged as a

17 juvenile?

18 A. I wasn't charged. It was a

19 misdemeanor.

20 Q. A misdemeanor. Okay. Did you

21 spend any time down at the jail?

22 A. No, ma'am.

23 Q. When would have been the next

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1 side. Can you tell me what part of your

2 body?

3 A. It crushed my whole right arm.

4 It cut them two fingers off (indicating).

5 It messed my knee up, crushed my foot. I

6 broke nine ribs, fractured two vertebrates

7 in my neck.

8 Q. Did you have any head trauma?

9 A. Yes, ma'am.

10 Q. Have you been released from

11 any other doctors that treated you there at

12 UAB for this accident?

13 A. Not as I can remember.

14 Q. Do you currently have any

15 appointments to see anybody there?

16 A. No, ma'am.

17 Q. When was the first time that

18 you recall ever having been arrested, Bryan?

19 A. Probably about seventeen or

20 eighteen years old. Somewhere in that

21 vicinity.

22 Q. What would you have been

23 arrested for?

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1 Q. How long were you there?

2 A. A month. Around in that

3 vicinity.

4 Q. Okay. And who was your

5 physician there?

6 A. I had three or four. One them

7 I recall was Dr. Oakes.

8 Q. Do you know what kind of

9 doctor he is?

10 A. It's a she. And, yes, she's

11 the one that works on your limbs and stuff.

12 Q. Okay. Any other doctors'

13 names you remember?

14 A. No, ma'am.

15 Q. Are you still seeing

16 Dr. Oakes?

17 A. No, ma'am.

18 Q. So she's released you?

19 A. Yes, ma'am.

20 Q. So, did you break bones when

21 you had the accident?

22 A. Yes, ma'am.

23 Q. Okay. You said on your right

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1 A. My recollection about eight
2 months, seven or eight months. Somewhere in
3 that vicinity.

4 Q. All right. So you spent time
5 in the Sylacauga jail, the Coosa County
6 jail, but not the Talladega County jail;
7 right?

8 A. No, ma'am. Just overnight.

9 Q. Anywhere else that you would
10 have ever spent the night in a jail?

11 A. Not as I remember.

12 Q. Okay. Did you spend the
13 thirty days at the Sylacauga jail before you
14 spent time at Coosa County?

15 A. Yes, ma'am.

16 Q. Who was the police chief over
17 in Sylacauga while you were there?

18 A. I think Chief Zuck.

19 Q. Who was over the jail? Do you
20 remember?

21 A. No, ma'am.

22 Q. Okay. Did you file any kind
23 of complaint while you were at the Sylacauga

1 Q. When was the last time you
2 remember having a driver's license?

3 A. Like I said, I can't remember.

4 Q. Do you know why you lost your
5 driver's license?

6 A. Yes, ma'am. I had got a DUI.

7 Q. And that would have been one
8 of the three places you told me about
9 earlier; right?

10 A. Yes. Yes, ma'am. I believe
11 that was Sylacauga or Talladega County.

12 Q. How many DUIs have you had?

13 A. Oh, I've been charged with two
14 or three. I'm not really positive, because
15 it was so many years ago.

16 Q. Do you know whether you've
17 been convicted of any of those?

18 A. Maybe a couple. I'm not
19 positive, like I said.

20 Q. Okay. It may be easier
21 like -- Why don't you just tell me what you
22 can recall that you've been arrested for.

23 A. Most of the time it was just

1 fighting when I was a teenager, which wasn't
2 nothing but a public intoxication or
3 something other like that. I got a
4 second-degree assault, and just the DUIs, as
5 far as I can remember.

6 Q. Have you ever spent more than,
7 you know, a couple hours at the Talladega
8 County jail?

9 A. No, ma'am.

10 Q. All right. What about in
11 Sylacauga? Have you ever spent any time in
12 jail there?

13 A. I spent thirty days one time.

14 Q. Would that have been for a
15 DUI, do you think?

16 A. I don't remember what it was
17 for.

18 Q. If you don't remember, that's
19 fine. Do you remember when that would have
20 been?

21 A. No, ma'am. Not the year.

22 Q. And then, in Coosa County, how
23 much time did you spend in the jail there?

1 '06?

2 A. I'm not really positive.
3 There's some kind of civil suit going or
4 something like that, but my psychiatrist is
5 handling all of that right now.

6 Q. Do you know whether you've
7 been sued as a result of that accident?

8 A. Not as I know of. I'm on
9 disability, I can't be sued.

10 Q. Whose vehicle were you driving
11 at the time of that wreck?

12 A. My mother and father's.

13 Q. When did you lose your
14 driver's license, Bryan?

15 A. As of what year, I really
16 can't tell you because I don't remember.

17 But I can get them back right now; but my
18 psychiatrist goes against it, so I don't try
19 to.

20 Q. Okay. Did you have your
21 driver's license when you had the wreck in
22 '06?

23 A. No, ma'am.

Q. How many times have you been there at Brookwood?

A. A couple.

Q. And were both times in the psychiatric unit?

A. Yes, ma'am. What they call DDU.

Q. I'm sorry, what?

A. They call it DDU.

Q. Do you know what that stands for?

A. No, ma'am. It's like Dual Diagnosis Unit. I do know what it stands for.

Q. Were you having any physical problems that you were treated for at Brookwood?

A. Not as I recollect.

Q. Do you remember what years it would have been when you were seen at Brookwood?

A. No, ma'am.

Q. And then at UAB, you were

Russell here in Alex City?

A. I was overdosed, had the liver and kidney shut down.

Q. Is that the only thing you've ever been seen for at Russell?

A. Yes, ma'am.

Q. How long were you in that hospital?

A. Two to three weeks, as I recollect. I'm not positive because I was unconscious a while.

Q. What about Coosa Valley Medical Center?

A. Just minor stuff. Dehydration, and strep throat.

Q. Did you spend any time overnight in that hospital?

A. Two or three days.

Q. What about Brookwood Hospital?

A. Oh, psychiatric purposes.

Q. Were you in the psychiatric unit at Brookwood?

A. Yes, ma'am.

City, is that Russell Hospital?

A. I think so.

Q. And what about in Sylacauga?

A. It's Coosa Valley Medical.

Q. The VA Hospital, that was for your broken back; right?

A. It was Baptist Montclair.

Q. What were you seen for at the VA?

A. I went to the VA and signed the waiver, and they shipped me straight to Baptist Montclair. I never spent no time in the VA.

Q. Just in and out?

A. Yes, ma'am.

Q. All right. And then, Baptist Montclair you were seen for your broken back; right?

A. Yes, ma'am.

Q. Were you seen for any other health reason there at Baptist Montclair?

A. Not as I remember.

Q. Okay. And then, what about

jail?

A. No, ma'am.

Q. Did you file any type of grievance?

A. No, ma'am.

Q. Did you have any problems with anybody at the Sylacauga jail?

A. No, ma'am.

Q. All right. I know you were at the hospital, at the VA Hospital, and then at Baptist Montclair in Birmingham; right?

A. Yes, ma'am.

Q. And at UAB?

A. Yes, ma'am.

Q. Where else have you been hospitalized?

A. Brookwood.

Q. Anywhere else that you can recall?

A. Sylacauga, and Alex City.

Q. Anywhere else?

A. Not as I recall.

Q. The hospital there in Alex

1 Q. Was there something that
2 happened there that caused you to have to go
3 to Brookwood?

4 A. No, ma'am. It was really my
5 nerves.

6 Q. How long would you say you've
7 had nerve problems?

8 A. I didn't have them but that
9 one time.

10 Q. Was there anything in
11 particular going on in your life that you
12 think caused you to have those problems?

13 A. Yes, ma'am. I was getting a
14 divorce.

15 Q. Has your daughter -- what was
16 her name?

17 A. Danielle.

18 Q. Was Danielle ever lived with
19 anybody other than her mom?

20 A. No, ma'am.

21 Q. Okay. Have you always had
22 visitation rights with her?

23 A. Yes, ma'am.

1 or alcohol rehabilitation program?

2 A. One time, years ago.

3 Q. Do you know where you were?

4 A. Brookwood.

5 Q. Was it for drugs or alcohol?

6 A. Drugs.

7 Q. Do you recall how old you
8 would have been at the time?

9 A. Probably around about
10 twenty-five, twenty-six. Somewhere in that
11 vicinity.

12 Q. Was that after you got out of
13 the military or before?

14 A. Oh, let's see. It was after.

15 Q. What type of drugs were you
16 using at the time?

17 A. Cocaine.

18 Q. When was the first time you
19 were admitted to a psychiatric unit?

20 A. I don't recall, to tell you
21 the truth. It's been like --

22 Q. Was it after you got out of
23 the military, Bryan?

1 A. Oh, I really hadn't been --
2 Let's see. Yes, ma'am, it was after I got
3 out of the military. I went to Brookwood
4 one time for the cocaine dependency and
5 another time for the psychiatric. I only
6 went twice, back then.

7 Q. Okay. So those would have
8 been the first -- that would have been the
9 first two places that you went?

10 A. Yes, ma'am.

11 Q. And was there anything that
12 caused you to start having psychiatric
13 problems?

14 A. Yes, ma'am.

15 Q. What happened to cause you to
16 start having problems?

17 A. I was housed in the Coosa
18 County jail.

19 Q. Prior to the time you were
20 housed at Coosa County, had you received any
21 kind of psychiatric treatment or counseling?

22 A. Just the two times, as I
23 recollect.

1 hospitalized there for this last automobile
2 accident. Have you been in the hospital at
3 UAB for any other reason, other than this
4 automobile accident?

5 A. Psychiatric.

6 Q. And when was that, Bryan?

7 A. Let's see. A month and a half
8 or two months ago.

9 Q. So it's been this year, 2007?

10 A. Yes, ma'am.

11 Q. Have you been in a psychiatric
12 unit at any other hospital, other than
13 Brookwood and UAB?

14 A. Hillcrest.

15 Q. Do you know when that would
16 have been?

17 A. No, ma'am. Not as I can
18 recall. I've been there three times. Or
19 around three.

20 Q. And when you were there, was
21 it for psychiatric problems?

22 A. Yes, ma'am.

23 Q. Have you ever been in a drug

1 A. When I was released from
2 imprisonment.
3 Q. You mean in jail?
4 A. Yes, ma'am.
5 Q. If I understand correctly,
6 you've never been -- served any time in a
7 prison, have you?
8 A. Yes, ma'am.
9 Q. Okay. When was that?
10 A. As soon as I was released from
11 Coosa County.
12 Q. Where did they take you?
13 A. Kilby, then Bullock.
14 Q. How long were you at Kilby?
15 A. Three to four months.
16 Somewhere in that vicinity.
17 Q. And then, what about at
18 Bullock?
19 A. Bullock's a mental health
20 camp.
21 Q. Okay. How long were you
22 there?
23 A. Around over a year, as far as

1 Q. So the other hospitalizations
2 that you told me about, at Hillcrest and at
3 UAB, those would have been after you were
4 released from Coosa County?
5 A. Yes, ma'am. As far as I
6 remember.
7 Q. Okay. Are you currently being
8 seen or treated by a psychiatrist?
9 A. Yes, ma'am.
10 Q. Who are you seeing?
11 A. Dr. Thweatt.
12 Q. Help me with that last name.
13 MR. STOCKHAM: I've got it
14 right here for you. It's Rayford W.
15 Thweatt, T-H-W-E-A-T-T. He is at UAB
16 Department of Psychiatry and Behavioral
17 Neurobiology.
18 Q. How long have you been seeing
19 Dr. Thweatt.
20 A. Probably about three, four
21 months, or something like that.
22 Q. Okay. Were you seeing him
23 before you went into the hospital at UAB?

1 A. No. I was seeing Dr. Faber.
2 Q. Where is Dr. Faber?
3 A. Pelham.
4 Q. How long have you been seeing
5 Dr. Faber?
6 A. Ever since I came out of the
7 Coosa County jail.
8 Q. Is it F-A-B-E-R?
9 A. F-A-B-E-R, yes, ma'am.
10 Q. You had never seen Dr. Faber
11 before?
12 A. No, ma'am.
13 Q. Have you seen any other
14 psychiatrist or psychologist, other than
15 Dr. Thweatt or Dr. Faber?
16 A. There was a doctor at Cheehaw
17 Mental Health that I seen for a while, but
18 he was just a psychologist.
19 Q. At Coosa Valley Mental Health?
20 A. No, ma'am. It was Cheehaw
21 Mental Health. Dr. Little.
22 Q. When was the first time you
23 saw Dr. Little?

1 Q. Has there any time -- Has
2 there been any period of time when your
3 visitation's been restricted?
4 A. No, ma'am.
5 Q. Have you ever had to have
6 supervised visitation with anybody?
7 A. No, ma'am.
8 Q. After you left Brookwood
9 Hospital for the problems you were having
10 with your nerves, did they refer you to a
11 psychiatrist or a psychologist to start
12 seeing regularly?
13 A. No, not after Brookwood.
14 Q. When was the first time you
15 recall ever having to go to a psychiatrist
16 or psychologist?
17 A. When I was released from Coosa
18 County.
19 Q. Okay. Up until that time,
20 you'd never been seen or treated by a
21 psychiatrist or a psychologist?
22 A. Not as I recollect, besides at
23 Brookwood.

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1 A. I don't know.

2 Q. Is he just a family doctor?

3 A. Yes, ma'am.

4 Q. That's who you go to if you

5 get the flu, or a sore throat, or a cold, or

6 whatever?

7 A. Yes, ma'am.

8 Q. Where is he located, Bryan?

9 A. Sylacauga.

10 Q. Does he have his own office,

11 or is he in with a group?

12 A. He's got his own office.

13 Q. How long has he been your

14 family doctor?

15 A. Oh, about a year.

16 Q. Before you started using him

17 as your family doctor, did you have another

18 family doctor that you used?

19 A. No, ma'am.

20 Q. Who would you go see if you

21 had a sore throat?

22 A. I wouldn't go.

23 Q. You just wouldn't go?

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1 yourself?

2 A. No. It's also a dorm.

3 Q. Are you currently on

4 probation?

5 A. No, ma'am.

6 Q. So when you were released from

7 Bullock, there was no probation?

8 A. No, ma'am.

9 Q. Do you ever have to report to

10 a probation officer?

11 A. Yes, ma'am. Years ago.

12 Q. Okay. Who was your probation

13 officer, do you remember?

14 A. No, ma'am. It's back when I

15 was a teenager.

16 Q. Who prescribes the medication

17 that you're taking right now, Bryan?

18 A. Dr. Thweatt prescribes it;

19 plus, I've got a local physician.

20 Q. Who is your local physician?

21 A. Dr. Alkier.

22 Q. How do you spell his last

23 name?

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1 population at Kilby?

2 A. Yes, ma'am.

3 Q. How long?

4 A. About a month.

5 Q. Did you have any problems?

6 A. No, ma'am.

7 Q. No problems in general

8 population?

9 A. No, ma'am.

10 Q. Who were you housed with while

11 were you there?

12 A. Five, six hundred inmates.

13 Q. Were you in a particular cell

14 with anybody?

15 A. No, ma'am. It's a dorm.

16 Q. What about while you were at

17 Bullock, did you have any problems?

18 A. No, ma'am.

19 Q. No problems with any other

20 inmates?

21 A. No, ma'am.

22 Q. How does it work there? Were

23 you in a room by yourself, or a cell by

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1 I can remember.

2 Q. While were you at Kilby, did

3 you get any kind of treatment, mental health

4 treatment?

5 A. Yes, ma'am.

6 Q. Just from the doctors there?

7 A. Yes, ma'am. I was in a mental

8 health lockup there.

9 Q. And then at Bullock, you just

10 saw the doctors there?

11 A. Yes, ma'am.

12 Q. While you were at Kilby, did

13 you discuss with your doctors there what you

14 say happened to you at -- while you were at

15 Coosa County jail?

16 A. Yes, ma'am.

17 Q. And what about while you were

18 at Bullock?

19 A. Yes, ma'am.

20 Q. Did you talk to them about

21 that, as well?

22 A. Yes, ma'am.

23 Q. Were you ever in general

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1 A. Not as I recollect.

2 Q. Okay. You said earlier you

3 take Lorcet?

4 A. Yes, ma'am.

5 Q. Is that for your back pain?

6 A. Yes, ma'am.

7 Q. How often do you take that?

8 A. Just two a day. One in the

9 morning, and one at night.

10 Q. Do you have any side effects

11 related to that medication?

12 A. No, ma'am.

13 Q. And then, you told me you

14 take -- What else do you take a day?

15 A. Seroquel.

16 Q. Seroquel.

17 A. It's an antipsychotic.

18 Q. And do you have any side

19 effects from that medication?

20 A. No, ma'am.

21 Q. Who prescribes your Lorcet

22 Plus?

23 A. Dr. Alkier. I take Tegretol

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1 bleeding ulcers?

2 A. Yes, ma'am.

3 Q. Where would you have been

4 hospitalized?

5 A. Sylacauga.

6 Q. All right. That's Coosa

7 Valley Medical Center?

8 A. Yes, ma'am.

9 Q. Were you ever hospitalized

10 more than one time?

11 A. Not as I recollect.

12 Q. Are you still getting

13 treatment for your bleeding ulcers?

14 A. Yes, ma'am.

15 Q. Who treats you for that?

16 A. Dr. Alkier.

17 Q. Do you take any type of

18 medication for it?

19 A. Nexium.

20 Q. And that's something you take

21 daily?

22 A. Yes, ma'am.

23 Q. Any other health problems?

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1 Q. Have you ever had anything to

2 supplement your disability?

3 A. What do you mean?

4 Q. I mean, as far as your medical

5 stuff? Have you ever had anything through

6 Blue Cross that would supplement?

7 A. No, ma'am.

8 Q. Have you been on Medicare or

9 Medicaid since you got on Social Security

10 disability?

11 A. Yes, ma'am.

12 Q. Okay. Other than your broken

13 back, have you -- and your car wreck that we

14 talked about, have you had any other health

15 problems? I'm not talking about the mental

16 stuff, just physical problems.

17 A. Oh, yes, ma'am.

18 Q. What other problems have you

19 had?

20 A. Bleeding ulcers.

21 Q. Who's treated you for those?

22 A. I don't remember.

23 Q. Were you ever hospitalized for

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1 A. Yes, ma'am.

2 Q. Are there any other doctors

3 that you see, other than the doctors at

4 Sylacauga, your family doctor, and then

5 Dr. Thweatt right now?

6 A. Are you talking about besides

7 the psychiatrist?

8 Q. Uh-huh. Besides.

9 A. No, ma'am.

10 Q. Where do you get your

11 prescriptions filled?

12 A. At Food World.

13 Q. In Sylacauga?

14 A. Yes, ma'am.

15 Q. Are you on Medicare or

16 Medicaid?

17 A. Yes, ma'am.

18 Q. Which one?

19 A. Both.

20 Q. Both. Do you have any

21 supplemental insurance that covers anything

22 that Medicare or Medicaid does not cover?

23 A. No, ma'am.

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1 one of his associates.

2 Q. Who did you follow up with?

3 A. I went on and seen Dr. Faber.

4 Q. So you started seeing
5 Dr. Faber after you got out of Brookwood?

6 A. Yes, ma'am.

7 Q. Okay. Did you see Dr. Faber
8 regularly throughout --

9 A. No. Excuse me. Let me back
10 up. I didn't see Dr. Faber after Brookwood.
11 I seen Dr. Faber right after the Coosa
12 County incident. I seen Dr. Strickland for
13 a little while, and that was it. I didn't
14 have to have one, though.

15 Q. Okay. When did you get
16 arrested that caused you to have to go to
17 the Coosa County jail?

18 A. I got arrested for
19 first-degree assault.

20 Q. Who arrested you, Bryan?

21 A. I think it was Terry, if I
22 recall -- I had -- They called me and told
23 me to come -- I mean, that I had a warrant

1 while.

2 Q. Your best judgment, how long
3 has it been?

4 A. Right before my wreck. About
5 the end of October.

6 Q. Did you have to go to the
7 hospital with the last one you had?

8 A. No, ma'am.

9 Q. What do they do for you when
10 you have a seizure?

11 A. Usually keep me from hitting
12 my head on anything or swallowing my tongue,
13 then I calm down.

14 Q. Did you have seizures while
15 you were in the military?

16 A. No, ma'am.

17 Q. Let me make sure I understand.
18 You don't recall ever having any seizures
19 during the time you were at the Coosa County
20 jail?

21 A. I don't remember. I may have
22 had one or two, but it was not every other
23 day like I had them there.

1 Q. Okay. Has the doctor ever
2 told you what causes you to have seizures?

3 A. No, ma'am. He said I have a
4 seizure disorder. And most of the time when
5 they come on like that, it's got a lot to do
6 with my nerves.

7 Q. After you got released from
8 Brookwood Hospital, when you told me about
9 that you were there for yours nerves, did
10 they prescribe you any kind of medication
11 that you could take regularly to help with
12 your nerve problem?

13 A. Seroquel and Klonopin.

14 Q. Who was prescribing that for
15 you?

16 A. Dr. Strickland.

17 Q. Who is Dr. Strickland?

18 A. The psychiatrist at Brookwood.

19 Q. All right. After you got out
20 of the hospital, did you regularly follow up
21 with Dr. Strickland?

22 A. No, ma'am. He's just a DDU
23 hospital doctor. I had to follow up with

1 also.

2 Q. Okay. You take what?

3 A. Tegretol.

4 Q. Tegretol. What is that for?

5 A. It's a psychotic and a seizure
6 medication.

7 Q. Do you have seizures?

8 A. Yes, ma'am.

9 Q. How long have you been having
10 seizures?

11 A. I started really having them
12 in my tour at Coosa County.

13 Q. Prior to the time you were
14 incarcerated at the Coosa County jail, had
15 you ever had seizures?

16 A. Not as I recollect. Not as I
17 remember.

18 Q. Who prescribes the Tegretol
19 for you?

20 A. My psychiatrist.

21 Q. How often do you have
22 seizures, Bryan?

23 A. I ain't had one in quite a

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A. Mr. Owens, Ricky Owens.

Q. And when you went down there in November of 2003 to turn yourself in, did you see Mr. Owens at all?

A. Not at that day, I don't believe.

Q. That first day, who else did you deal with when you got down to the jail?

A. I don't remember nobody but Mr. Wilson.

Q. And he booked you in, and did he put you in a cell?

A. Yes, ma'am, I went in a cell.

Q. Okay. Did you go in a cell in -- by yourself, or were you in with somebody else?

A. I think I was by myself, but I'm not positive.

Q. While you were at the Coosa County jail, were you ever in a cell with anybody else?

A. While -- My whole time?

Q. Yes, sir.

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the Food World pharmacy?

A. As I remember.

Q. Do you ever recall getting your prescriptions filled anywhere else?

A. No, ma'am. Not at that time.

Q. When you got down to the jail, you said Terry was there, Wilson?

A. If I remember right, yes, ma'am.

Q. And who booked you in, Bryan?

A. I think Mr. Wilson did. I'm not positive, though, but I think it was Mr. Wilson.

Q. Okay. And when you went down to the jail, did you take your medications with you?

A. No, ma'am.

Q. You did not take them with you when you went down to the jail?

A. I don't think so. I'm not positive.

Q. Who was the sheriff in November 2003?

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when you went down to the Coosa County jail, what medications were you on?

A. Zyprexa, Klonopin, Phenabarbato1, and two or three more as I remember. I'm not positive.

Q. Who was prescribing the Zyprexa for you?

A. I don't remember.

Q. Do you remember why you were taking that drug?

A. No, ma'am.

Q. All right. The Klonopin, who was prescribing that for you?

A. That had been prescribed by Dr. Strickland.

Q. All right. And what about the Phenabarbato1?

A. I don't remember.

Q. What were you taking it for?

A. I don't remember that either. Something to do with the seizures, I believe.

Q. In '03, were you still using

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out and I wouldn't turn myself in. Nobody went out and arrested me.

Q. Okay. Who was the assault of?

A. My first cousin.

Q. Who was that?

A. Rodney Smith.

Q. So you went down and turned yourself in?

A. Yes, ma'am.

Q. Did you have a lawyer representing you at the time?

A. No, ma'am.

Q. Did you hire a lawyer?

A. Yes, ma'am.

Q. Who did you hire?

A. Robert Rumsey, Tom Radney, and Mr. Brown.

Q. Who is Mr. Brown?

A. He's Tom Radney's associate.

Q. Do you remember when this was? Was it November of '03?

A. Somewhere in that vicinity.

Q. All right. And at that time,

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1 mental-wise and health, physical-wise.

2 A. Physical, I just had the
3 ulcers and lower-back problems. But really
4 no medical -- no mental, not as I recollect.

5 Q. All right. You had the
6 low-back problems and the ulcers; right?

7 A. Yes, ma'am.

8 Q. And you weren't having any
9 type of problems, mental?

10 A. No, ma'am. They had put me on
11 the Zyprexa as an antidepressant, but I
12 couldn't tell no difference in it. I really
13 didn't have no mental problems.

14 Q. What about the seizures?

15 A. I probably had had two in
16 three or four years, as I remember.

17 Q. Did you tell them -- Terry,
18 when he booked you in about any type of
19 medical problems you were having?

20 A. Every medical problem I have,
21 yes, ma'am.

22 Q. So back in 2003, when you
23 helped him fill out the forms or when he was

1 A. Yes, ma'am.

2 Q. How would you know him?

3 A. Because I was raised in Coosa
4 County.

5 Q. Y'all grew up together?

6 A. No, ma'am. It's a small
7 county; everybody knows everybody.

8 Q. Okay. Anybody else that you
9 can remember?

10 A. Mr. Barton.

11 Q. Barton?

12 A. Yes, ma'am.

13 Q. Do you know his first name?

14 A. No, ma'am.

15 Q. Did you know him before you
16 went to jail?

17 A. No, ma'am.

18 Q. Anybody else?

19 A. Not as I remember.

20 Q. Did you have any problems with
21 any of the inmates while you were at Coosa
22 County jail?

23 A. No, ma'am. Not as I remember

1 anyway.

2 Q. You went in in November of
3 2003, and how long were you there?

4 A. I ain't positive. Seven or
5 eight months or so. Somewhere in that
6 vicinity.

7 Q. What happened to your assault
8 charge, do you know?

9 A. It got dropped to
10 second-degree assault. I had to sign for
11 five years at the penitentiary.

12 Q. And then, you served the time
13 there at Kilby and Bullock?

14 A. Yes, ma'am.

15 Q. And the lawyers that
16 represented you were the ones you told me
17 about a while ago?

18 A. Yes, ma'am.

19 Q. All right. You told me about
20 the medications that you were on when you
21 went down to the jail. What all -- Tell me,
22 when you went down there in November of
23 2003, what kind of problems did you have

1 A. Yes, ma'am.

2 Q. Do you recall the names of
3 people you would have been housed in a cell
4 with?

5 A. There was one that I remember,
6 it was Scotty Holly.

7 Q. Did you know Scotty before you
8 went to jail?

9 A. No, ma'am.

10 Q. Have you seen him since you
11 got out?

12 A. No, ma'am.

13 Q. What was he in for?

14 A. I don't recall.

15 Q. Anybody else that you recall
16 that you were housed with while you were
17 there?

18 A. Junior Miller.

19 Q. Junior?

20 A. (Witness nods head in the
21 affirmative.)

22 Q. Did you know him before you
23 went to jail?

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1 Tennessee. I had a rental trailer up there,
2 and I believe I left it in it.

3 Q. How long had you been back in
4 Alabama from Tennessee?

5 A. Overnight.

6 Q. Were you living in Tennessee
7 at the time?

8 A. No, ma'am.

9 Q. Where did you leave it in
10 Tennessee?

11 A. A little rental trailer we
12 had.

13 Q. Who was "we"?

14 A. Me and the girl that I was
15 dating from Bowling Green.

16 Q. Who was that?

17 A. Patty.

18 Q. What is Patty's last name?

19 A. Gross.

20 Q. Do you still keep in contact
21 with Patty?

22 A. No, ma'am.

23 Q. Do you know where she is now?

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1 A. A few days. How many days I
2 can't recollect, but a few.

3 Q. All right. Why did you go
4 without your medication?

5 A. They wouldn't give it to me --
6 take me to get it.

7 Q. And you didn't have it with
8 you; correct?

9 A. No, ma'am.

10 Q. Did you make a phone call once
11 you got to jail?

12 A. Yes, ma'am.

13 Q. Who did you call?

14 A. My mother and father.

15 Q. Did you ask them to bring you
16 your medication?

17 A. Yes, ma'am.

18 Q. Did they bring it to you?

19 A. Daddy found two pills, like I
20 said a while ago, and that was it.

21 Q. Was there any particular
22 reason why he couldn't find it?

23 A. I think I'd left it in

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1 Q. Where were you living?

2 A. On the old Cohen Road -- old
3 County Line Road.

4 Q. Was that in Coosa County?

5 A. No, ma'am. Talladega County.

6 Q. Were you living just by
7 yourself?

8 A. Yes, ma'am.

9 Q. Do you remember who called
10 you, Bryan, to tell you that they had a
11 warrant for your arrest?

12 A. My mother.

13 Q. All right. You said that your
14 prescriptions had run out when you got down
15 to the jail?

16 A. I don't remember if they run
17 out or not.

18 Q. Was there a period of time
19 once you got to the jail that you were
20 without your medication?

21 A. Yes, ma'am.

22 Q. How long did you go without
23 it?

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1 taking down information, you would have told
2 him about every problem that you were
3 having; correct?

4 A. Yes, ma'am.

5 Q. Is there any particular reason
6 why you didn't take the medicine with you
7 when you went down to the jail?

8 A. No, ma'am.

9 Q. Did you know you were going to
10 have to stay when you got down here?

11 A. No, ma'am.

12 Q. Did Terry tell you that he
13 thought you would have to stay?

14 A. I don't remember if he did or
15 not.

16 Q. Who brought your medicines
17 down to the jail?

18 A. Nobody, I don't think. My
19 father brought me two pills that he could
20 get ahold to when my prescription ran out.

21 Q. Who were you living with in
22 November of 2003?

23 A. By myself, I think.

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1 Q. And then what happened?

2 A. They got on and something

3 about my bond and daddy signed it.

4 Q. Okay. And then, you got out;

5 right?

6 A. Yes, ma'am.

7 Q. So the first day you were

8 there in November, you didn't go without

9 your medication because you were only there

10 for a couple of hours; right?

11 A. Yes, ma'am, that's it.

12 Q. Okay. How long was it after

13 that day that you had to go back to jail?

14 A. I don't recall exactly what

15 day, but it was just a little while after.

16 And I went to Court and they locked me up.

17 Q. Okay. You told me earlier it

18 was months before you went to Court. Was it

19 months before you had to go back to jail?

20 A. I don't recall what you're

21 saying about November. I'm not specific on

22 a day. It was in November when I was locked

23 up in the courts; and I was permanently

1 so I really never seen her.

2 Q. What is the B block?

3 A. It's a population.

4 Q. So you were in general

5 population?

6 A. Yes, ma'am.

7 Q. Most of the time?

8 A. No, ma'am.

9 Q. But when you were booked, you

10 were put in general population; right?

11 A. When they'd lock me up when I

12 never came out, yes, ma'am.

13 Q. Was that the same day you went

14 down there, though?

15 A. No, ma'am.

16 Q. All right. You went down

17 there in November?

18 A. Uh-huh.

19 Q. Did they book you?

20 A. Yes, ma'am.

21 Q. Did they make you stay for a

22 while?

23 A. A few hours.

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1 judge?

2 A. It was months.

3 Q. You didn't go before a judge

4 for months?

5 A. As I remember, yes, ma'am.

6 Q. Okay. Was there any

7 particular reason why?

8 A. I don't know why.

9 Q. Is there any particular reason

10 why it took so long for you to get a lawyer?

11 A. My family was looking around,

12 and they found me one.

13 Q. Okay. Did you have any

14 contact with Wendy Roberson once you got to

15 the jail?

16 A. Once I was locked up?

17 Q. Uh-huh.

18 A. Yes, ma'am.

19 Q. When was -- After you got

20 there, how much time passed before you had

21 any contact with her?

22 A. When I first got there and was

23 locked up permanently, I stayed in B block,

1 A. No, ma'am.

2 Q. When was the last time you had

3 any contact with her?

4 A. When I -- Right after I had

5 been locked up for a while.

6 Q. Did you contact her?

7 A. Ma'am?

8 Q. Did you contact Patty?

9 A. Yes, ma'am.

10 Q. And that was the last time you

11 had any contact with her?

12 A. As I recollect. We wrote

13 letters for a while, but that was it.

14 Q. Okay. Once you got to the

15 jail, did you call anybody other than your

16 parents?

17 A. No, ma'am.

18 Q. How long was it after you'd

19 been in the jail that you got a lawyer?

20 A. A month or so, as I

21 remember -- recollect. I can't pinpoint it.

22 Q. After you got to jail, how

23 long was it before you were taken before a

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Q. Did you know any of these jailers before you went to jail in November?

A. I had heard of them, yes, ma'am.

Q. How had you heard of them?

A. It's a small county.

Q. Had you had anything to do with any of them personally?

A. No, ma'am.

Q. You never met them or had any dealings with any of them?

A. No, ma'am. Not as I remember.

Q. Okay. Did you know Terry Wilson before you went to jail?

A. Knowed of him.

Q. But not know him personally?

A. Not personally.

Q. What about Sheriff Owens? Did you know him?

A. I knowed of him, but not personally.

Q. When was the first time you had any contact with Wendy Roberson once you

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A. I don't know what position that is, no.

Q. Is there somebody that was over the jail?

A. I reckon.

Q. You don't know who that was?

A. Not right offhand.

Q. Okay. What jailers did you have interaction with while were you there?

A. Terry Wilson, Wendy, Al Bradley, Mr. Harris, Mr. Lipscomb, Aaron Green. And another guy, but I can't remember his name.

Q. Black or white?

A. He's a white guy about my age.

Q. What's he look like? Can you describe him for me?

A. Brown headed, a little shorter than I am. Stocky.

Q. Okay. Anybody else that you can recall?

A. An older lady named Kay. That's all I can really recall.

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Tennessee?

A. Uh-huh.

Q. Is that a yes?

MR. STOCKHAM: You have to answer yes or no.

A. Yes, ma'am.

Q. Who booked you in that day?

A. I was already booked in. They just carried me straight and locked me up.

Q. Just put you in?

A. Yes, ma'am.

Q. Who did -- Where did they put you?

A. B block.

Q. Okay. And that's general population; right?

A. Yes, ma'am.

Q. Who were you put in with? Anybody in particular?

A. The ones that I called out, and a few more that I don't remember names.

Q. Who was the jail administrator at that time?

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there, yes, ma'am.

Q. Okay. But the first time when you went down there and you were booked, you were released that day?

A. Yes, ma'am.

Q. Did you have any problems with Terry Wilson on the day he booked you?

A. No, ma'am.

Q. All right. When you went over there, were you taken from Court to the jail in November?

A. Yes, ma'am.

Q. And you had a lawyer at that time; correct?

A. Yes, ma'am.

Q. When you went from the Court over to the jail, did you have your medication with you?

A. No, ma'am.

Q. Is this what we've been talking about --

A. Yes, ma'am.

Q. -- when you left it in

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1 Q. How long was it before you
2 went to the doctor for your foot?
3 A. Four days later.
4 Q. Where were you taken?
5 A. They took me out of B block
6 and put me in O. Made me stay there four
7 days, and then they carried me to Dr. James.
8 Q. All right. So on that day
9 that you hurt your foot and had the seizure,
10 they took you from general population and
11 put you in a holding cell or?
12 A. A hole. Yes, ma'am.
13 Q. A hole. Okay. And four days
14 later, you were taken to see Dr. James?
15 A. Yes, ma'am.
16 Q. Is that the only time that
17 you've been in jail that you seen Dr. James?
18 A. Yes, ma'am. As I recollect.
19 Q. Can you describe the hole for
20 me, Bryan?
21 A. Yes, ma'am. It's about a six
22 by eight concrete room. It's got a little
23 slab on the left-hand side to put a mat up,

1 A. Scotty Holly.
2 Q. Anybody else?
3 A. No, not by names, ma'am.
4 Q. When you fell and you had the
5 seizure, did somebody call for help?
6 A. Yes, ma'am.
7 Q. Do you recall what jailers
8 came back there?
9 A. Not right offhand. Not
10 exactly who come back.
11 Q. Did you tell anybody that you
12 were hurt?
13 A. Yes, ma'am.
14 Q. Who did you tell?
15 A. I think it was Al Bradley come
16 back, and one more, Ms. Kay, the older lady.
17 I believe that was the two that come back,
18 and I told them I had hurt my foot.
19 Q. What did they do for you?
20 A. At that time, nothing.
21 Q. They didn't take you to the
22 doctor?
23 A. No, ma'am. Not at that time.

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1 Q. How long had you been there
2 when this happened?
3 A. A couple months.
4 Q. Okay. And you had a seizure,
5 and you were standing on some steps when
6 this happened?
7 A. Yes, ma'am.
8 Q. Where were the steps?
9 A. In B block, upstairs.
10 Q. All right. Had you been
11 taking your seizure medication?
12 A. I don't remember if they had
13 me on a seizure medication yet or not.
14 Q. Okay. But you think you had a
15 seizure and broke your foot?
16 A. Yes, ma'am.
17 Q. Did you fall down the steps?
18 A. Yes, ma'am.
19 Q. Who would have been present
20 when you fell down the steps?
21 A. The inmates.
22 Q. Anybody specifically that you
23 can recall?

1 got to jail?
2 A. As I can remember, it was when
3 they had put me in O.
4 Q. That would have been the first
5 time you had talked to her?
6 A. As I remember.
7 Q. All right. When you got
8 there, you were in general population. How
9 long did you stay back there?
10 A. A couple months, as I can
11 remember.
12 Q. Did you have any problems
13 while you were back in general population?
14 A. No, ma'am.
15 Q. What caused you to be moved?
16 A. I fell.
17 Q. How did you fall?
18 A. The first time I fell off the
19 steps. I had a seizure and fell off the
20 steps and cracked my foot.
21 Q. Okay. Wait a minute. Do you
22 know when that was?
23 A. Not the date.

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1 had been in jail?

2 A. As I recollect.

3 Q. Up until this point when you

4 got moved to the hole, had you had any

5 problems while you'd been in general

6 population?

7 A. No, ma'am.

8 Q. Hadn't had any problems with

9 any inmates?

10 A. No, ma'am.

11 Q. Or any jailer; correct?

12 A. Yes, ma'am. Al Bradley hit me

13 two times.

14 Q. Before you got moved to the

15 hole?

16 A. Yes, ma'am.

17 Q. Before we talk about that, let

18 me make sure. Had you had problems with any

19 other jailer?

20 A. No, ma'am.

21 Q. But you had had problems with

22 Mr. Bradley?

23 A. I didn't have problems. He

1 Q. Were you given a blanket?

2 A. Yes, ma'am.

3 Q. What about a pillow?

4 A. No, ma'am.

5 Q. Just a mat and a blanket?

6 A. Yes, ma'am.

7 Q. Is that the same thing you had

8 in your cell when were you in general

9 population?

10 A. No, ma'am. You had a lot

11 thicker mats in population than you did in

12 the hole.

13 Q. Other than that, what else was

14 different about your cell from the hole?

15 A. There was no commode, no sink,

16 no nothing.

17 Q. Were you told why you were

18 being moved?

19 A. Ricky Owens told me it was for

20 his own protection.

21 Q. He told you that?

22 A. Yes, ma'am.

23 Q. When did you have a

1 conversation with Sheriff Owens?

2 A. The first time he had come in

3 front of my window, and I asked him how long

4 he was going to keep me in the hole. And he

5 said, you're going to stay in the damn hole

6 as long as you're in my jail. Then he

7 cardboarded the onliest window I had up, to

8 where I couldn't see out.

9 Q. Was anybody else present when

10 you had this conversation with Sheriff

11 Owens?

12 A. Wendy was standing over right

13 next to the desk. I could hear her. Al was

14 always in the front, so I know he's present

15 somewhere, but I can't say for a fact.

16 Q. Do you know whether either one

17 of them overheard the conversation you had

18 with Sheriff Owens?

19 A. Wendy had to of. She had to

20 hear it. She wasn't five foot from him.

21 Q. All right. Now, was that the

22 first time, Bryan, that you had had a

23 conversation with Sheriff Owens since you

1 where you don't have to sleep right on the

2 floor, about ten or twelve inches off the

3 ground. You got a hole right in the center

4 of the floor with a metal crate overtop of

5 it, and a little light in the top that's in

6 the ceiling. And that's it.

7 Q. Is there a sink in that room?

8 A. No, ma'am.

9 Q. Okay. Where is this cell

10 located in terms of the jail?

11 A. Right in front of the office.

12 Q. So can you see office

13 personnel while you were in there?

14 A. No, ma'am. Not really. I

15 mean, I could -- it was -- Before they

16 cardboarded the window up, I could see to

17 the corner right there (indicating), and I

18 could see glimpses of them by the edge of

19 it. But I could hear their voices; that's

20 the reason I knew who it was.

21 Q. Were you given a mat to sleep

22 on?

23 A. Yes, ma'am.

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1 and you won't see that old son-of-a-bitch.
2 And my daddy's sitting right there in front
3 of me.

4 Q. You told me the first time
5 that he slapped you, Scotty Holly was
6 standing there?

7 A. Yes, ma'am.

8 Q. Is there anybody else that
9 would have seen this?

10 A. Mr. Barton seen him one time.
11 But that was after I had got out of the hole
12 and got put back in population, and months
13 and months after that.

14 Q. I'm talking about the very
15 first time it happened. Okay?

16 A. Yes, ma'am. Scotty Holly was
17 standing beside me.

18 Q. Anybody else?

19 A. There was inmates around, but
20 I don't recall their names.

21 Q. All right. And the second
22 time this happened when you were going to
23 visitation, where were you?

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1 to you with Mr. Bradley?

2 A. To keep it from happening
3 again. I'd done been told by the inmates
4 that if you gripe or say anything on any of
5 them, they'll all turn on you, so I just
6 kept it quiet.

7 Q. Who had told you that they
8 would turn on you?

9 A. Scotty Holly is the main one.

10 Q. Okay. So you chose not to
11 tell anybody at that time?

12 A. Yes, ma'am.

13 Q. When was the next time you had
14 any problem or conflict with Mr. Bradley?

15 A. I was going into visitation,
16 and I didn't shave all my mustache off, and
17 I had cut it down real short. Al reached
18 and grabbed my lip and snatched it up, and
19 said, I know what you're doing. And I said,
20 I wore it this short in the military. This
21 ain't no damn military. And he slapped me
22 across the left-hand side of my face again
23 and said, say one word. Say one damn word

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1 A. Two or three months.
2 Somewhere in that vicinity.

3 Q. All right. This was before
4 you were put in the hole, though; correct?

5 A. Yes, ma'am.

6 Q. Okay. Did you report this to
7 anybody?

8 A. No, ma'am.

9 Q. Is there any particular reason
10 why you did not report it?

11 A. I just wanted to keep the
12 conflict down.

13 Q. When you went to jail, were
14 you made aware that there was a grievance
15 procedure that you could follow, a piece of
16 paper that you could fill out and file a
17 grievance?

18 A. Not as I recollect.

19 Q. Nobody ever told you that you
20 could file a grievance?

21 A. No, ma'am.

22 Q. Is there anything that kept
23 you from telling anybody about what happened

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1 did.

2 Q. All right. Y'all had a
3 problem between the two of you?

4 A. Yes, ma'am.

5 Q. Okay. When did this happen?
6 Was this the first time you had any
7 interaction with Mr. Bradley?

8 A. The first time, as I
9 recollect, he was in a doorway. And I asked
10 him a question or something, and he shoved
11 me back away from the doorway. And Scott
12 Holly was standing to my right, and he
13 slapped me.

14 Q. Mr. Bradley slapped you?

15 A. Yes, ma'am.

16 Q. What part of your body did he
17 slap?

18 A. The side of my face.

19 Q. What part of his body did he
20 use to slap you with?

21 A. His arm, right hand.

22 Q. All right. How long had you
23 been in jail when this happened?

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1 you had any type of incident with
 2 Mr. Bradley was when you were going to
 3 visitation and he slapped you?
 4 A. Yes, ma'am.
 5 Q. And you told your parents
 6 about that one, right?
 7 A. Yes, ma'am.
 8 Q. Okay. Now, were there any
 9 more incidences with Mr. Bradley?
 10 A. Yes, ma'am. Quite a few.
 11 Q. All right. Can you tell me
 12 about the next one?
 13 A. Well, when I was in the hole,
 14 ma'am, Al with another police officer had a
 15 speed holster right on his right leg. I
 16 didn't know his name. They would come in
 17 quite a few times and beat me. The officer
 18 never beat me, but Al did. The officer
 19 would just help hold me.
 20 Q. And this took place while you
 21 were in the holding cell?
 22 A. Yes, ma'am.
 23 Q. Where was the officer from?

1 why?
 2 A. I never seen him.
 3 Q. You never met with your
 4 attorney while you were in jail after --
 5 after either one of these incidents?
 6 A. No, ma'am. He would talk to
 7 my mother and father on the phone, and they
 8 would tell me.
 9 Q. All right. You told your
 10 parents, but you didn't tell any of the
 11 jailers?
 12 A. Not at that time.
 13 Q. When was the next time you had
 14 any kind of problem or conflict?
 15 MR. STOCKHAM: Can we now --
 16 We've been going about an hour and twenty
 17 minutes. Can we break?
 18 MS. McDONALD: Yeah, we can
 19 break.
 20 VIDEOGRAPHER: This marks the
 21 end of tape number one of the deposition of
 22 Daniel Kelley. Off the Record the time is
 23 10:49 a.m.

1 (Recess Taken.)
 2 VIDEOGRAPHER: This is the
 3 beginning of tape number two in the
 4 deposition of Daniel Kelley. Back on the
 5 Record. The time is 11:55 a.m.
 6 Q. (By Ms. McDonald) Now, I'm
 7 going to try to go back and figure out where
 8 we were when we left off. All right?
 9 A. Yes, ma'am.
 10 Q. And I'm going to reask you,
 11 forgive me.
 12 A. Yes, ma'am.
 13 Q. And I apologize up front. I
 14 think when we left off, we had talked about
 15 some incidences with Al Bradley?
 16 A. Yes, ma'am.
 17 Q. And I know you had told me
 18 about two. And I think we were about to
 19 talk about another one when we broke for
 20 lunch.
 21 All right. I know you had
 22 said he slapped you one time when Scott
 23 Holly was present. And then, the next time

1 A. I was coming out of the hole.
 2 Q. Did anybody see it?
 3 A. No, ma'am. Nobody was
 4 standing in front of the door but me and
 5 him. There was cameras there. It should
 6 have seen it.
 7 Q. Did you report it this time?
 8 A. Not that time.
 9 Q. Was there any particular
 10 reason why you didn't tell anybody?
 11 A. I told my mother and father as
 12 soon as I walked in the visitation in there,
 13 but I didn't tell the jailers.
 14 Q. After the first time it
 15 happened when you were still back in general
 16 population, Bryan, did you meet with your
 17 attorney at any point?
 18 A. No, ma'am. Not at that time.
 19 Q. Okay. Was there ever an
 20 occasion you had to tell your attorney that
 21 this was going on?
 22 A. No, ma'am. I never told them.
 23 Q. Is there any particular reason

1 there and got me. He hollered for Wendy
2 after he done whipped me. And they come in
3 there and got me and carried me to the
4 bathroom and threatened me and made me clean
5 my face up where nobody would see it. But
6 when I come out, my daddy was standing over
7 to the side over there. And I seen him, and
8 I hollered and begged him, don't let them
9 put me back in there no more. He'll just
10 beat me again.

11 A couple incidents, he whipped
12 me with a hose pipe. It was about this long
13 (indicating). He used it on me two or three
14 times.

15 Q. What color was the hose?

16 A. It was green.

17 Q. Anybody else present to see
18 that?

19 A. With the hose pipe incident,
20 no, ma'am. And he was by himself. Because
21 they had me on so much medicine, I was being
22 overdosed so heavy, that I didn't have the
23 strength to really fight back, hardly. And

1 you say Mr. Bradley came in there and beat
2 you?

3 A. Quite a few, ma'am. Some
4 incidents that I remember specifically; he
5 would come in sometimes every day, sometimes
6 every other day. He would come in and kick
7 me. One incident, the other officer held my
8 leg out, and he kicked me in my manlihood
9 twice. He kicked me about five to six
10 times, but he only hit me in my midsection
11 twice. And it caused me to urinate blood
12 for a couple days.

13 Another incident, he come in
14 and I was laying face down, and he grabbed
15 the seat of my britches and snatched them.
16 The other officer grabbed my britches. And
17 Al had a broom upside down, and he tried to
18 stick me in the rectum. But I was able to
19 wiggle enough to where he couldn't get me in
20 the rectum. But he hit me all in the lower
21 part of my back and my behind cheeks to
22 where my back had been replaced. I had
23 artificial vertebrates there, and he beat

1 them, and it caused severe pain.

2 Q. And this was in the presence
3 of this other officer?

4 A. Yes, ma'am.

5 Q. What time of day would you say
6 this happened?

7 A. I'm not sure. In the hole,
8 you didn't know exactly what time it was
9 because you didn't see the light, daylight,
10 so I don't know exactly when it was. But
11 the time they kicked me in the midsection, I
12 turned to the side -- he kicked me in my
13 manlihood, I turned to the side and Terry
14 Wilson was standing at the edge of the
15 doorway laughing. A couple of times he come
16 in, held me down and fist whipped me.

17 Q. Where did he hit you?

18 A. In the face.

19 Q. In the face?

20 A. Yes, ma'am. As much as I
21 couldn't cover up, he'd beat me in the face.

22 On one of the incidents, he
23 beat me in the face. Him and Wendy come in

1 A. He worked for Coosa County, as
2 far as I know.

3 Q. So he would have been either a
4 jailer or a deputy?

5 A. He would have been a deputy,
6 ma'am, because he had a holster on.

7 Q. Was he in any kind of uniform?

8 A. Oh, yes. He was in a uniform.

9 Q. Can you describe him for me?

10 A. Not really. He was real short
11 haired, had sandy hair, had like a military
12 haircut. But mainly what I remember the
13 most is he had a speed holster way down on
14 the bottom of his leg. He didn't wear a
15 regular holster up top.

16 Q. Was he a white male?

17 A. Yes, ma'am.

18 Q. Do you have any judgment as to
19 how old this gentleman was?

20 A. No. I didn't never get
21 nothing but glances at him, because Al was
22 beating me at that time.

23 Q. All right. How many times did

1 in, I could smell alcohol on him. Whenever
2 he was drinking alcohol is when he'd do it.

3 Q. And you said Wendy was present
4 one time, and then Terry Wilson was present
5 one time?

6 A. Wasn't present in the cell,
7 but, yes, ma'am, Terry was standing outside
8 the doorway when they hit me and knocked me
9 to the right- side. I could see Terry
10 standing there laughing. But I couldn't say
11 for sure that Wendy was standing there; but
12 I could see her at the edge of the desk, so
13 I know she had to see what was going on.

14 Q. How did your cell door lock?

15 A. I don't know from the outside.
16 It was just a solid door, where there was
17 nothing but one little window about like
18 that (indicating).

19 Q. When an officer would come to
20 your door, do they use a key to unlock it,
21 or did they have to holler for somebody to
22 unlock it?

23 A. No, ma'am. You heard it

1 VIDEOGRAPHER: Back on the
2 Record. The time is 12:03 p.m.

3 MS. MCDONALD: I have met with
4 my client, Richard, as well as with Gary's
5 client, Ricky Owens. And they have informed
6 me that Mr. Bradley has not made a move, and
7 has not made any gestures toward your
8 client.

9 I don't know what to do at
10 this point, other than either have him come
11 sit directly by me, if this is going to be a
12 continuing problem. I can get Mr. Bradley
13 to come sit at the table, but they are
14 entitled to be here and they're going to
15 stay.

16 MR. STOCKHAM: I don't have a
17 problem with them being here. If they act
18 out, then -- I didn't see it. My client
19 reported it, so. If it continues, we
20 will --

21 MS. MCDONALD: Well, I'm not
22 going -- I mean, since we're on video, I'm
23 not going to let your client sit here and

1 accuse -- make accusations against someone,
2 when they're telling me it's not going on.

3 VIDEOGRAPHER: Off the Record.

4 The time is 12:04 p.m.

5 (Off-the-Record discussion
6 was held.)

7 VIDEOGRAPHER: Back on the
8 Record. The time is --

9 MR. WILLFORD: I've got a
10 suggestion before you go back on the Record.

11 VIDEOGRAPHER: We're back on
12 the Record. The time is 12:05 p.m.

13 Q. (By Ms. McDonald) Bryan, do
14 you have any estimation as to how many times
15 that you say Mr. Bradley entered your cell
16 when were you in the hole?

17 A. I couldn't just say exactly
18 how many times, but it was quite a few.
19 Sometimes it was -- there was a few times it
20 was every day, and then there was a few
21 times it was two or three days in between
22 before he'd come in. It's all according --
23 I mean, it's all according to when he come

1 plus, I was scared to fight back because if
2 I'd ever hit him, I would have got extra
3 time. I just couldn't do nothing back to
4 stop him, except cover up the best I could.

5 Q. How many times would you say
6 he's entered your cell and hit you with a
7 hose?

8 THE WITNESS: Mr. Stockham,
9 the man's making threats and he's laughing
10 at me and he's making me real nervous.

11 Q. Who is?

12 A. Al Bradley.

13 MR. WILLFORD: Your client.
14 Would you please speak to him?

15 THE WITNESS: He just pointed
16 at me just then, and was laughing at me, and
17 he done his throat like he's going to cut
18 mine.

19 MS. MCDONALD: Let's take a
20 break real quick.

21 VIDEOGRAPHER: Off the Record.
22 The time is 12:01 p.m.

23 (Recess taken.)

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1 Q. Uh-huh. How long were you at
2 the jail once you got back out of rehab?

3 A. I'm guesstimating around about
4 a month. And then, they furloughed -- I
5 mean, they sent me to Clay County and had me
6 housed there.

7 Q. Okay. During that month after
8 you got out of rehab that you were back at
9 the jail, did you have any contact with
10 Mr. Bradley?

11 A. One time.

12 Q. And when was that?

13 A. I had went to the doorway for
14 something, I don't remember -- oh, yes, I
15 went to the doorway to get me a doctor slip
16 from him. And he wouldn't give me one, and
17 he slapped me then in the doorway.

18 Q. Were you in the hole?

19 A. No, ma'am. I was in regular
20 population, then. That's when I came back
21 from Caradale.

22 Q. All right. And who was
23 present and saw him slap you.

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1 couldn't get out and I couldn't fight back.

2 Q. And then, you were at some
3 point taken to Russell Hospital?

4 A. Yes, ma'am. When I turned
5 yellow and jaundice set in and I was
6 overdosed.

7 Q. All right. We'll talk about
8 that in a minute. But after you came back
9 from the hospital, were you at some point
10 furloughed so you could go to rehab?

11 A. Yes, ma'am.

12 Q. Where did you go to rehab?

13 A. Caradale Lodge.

14 Q. And where is that?

15 A. Sylacauga.

16 Q. After you got out of rehab,
17 did you come back to the jail?

18 A. Yes, ma'am.

19 Q. Do you recall when that was?

20 A. No, ma'am. Not the dates.

21 Q. How long were you there this
22 next time?

23 A. The jail?

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1 A. Somewhere in January.
2 Somewhere in that vicinity. I'm not
3 positive, ma'am, because I had a brain -- I
4 was brain dead. I didn't know. I wasn't
5 conscious.

6 Q. All right. That first time
7 you were in the hole, you said four or five
8 days, did Mr. Bradley come in your cell
9 during that first four or five days?

10 A. No, ma'am.

11 Q. For the first four or five
12 days that you were in the hole, you didn't
13 have any problems with Mr. Bradley?

14 A. The first two or three -- I
15 mean, the first -- that time and the second
16 time, I wasn't in there but two, three, four
17 days. Somewhere in that vicinity. And, no,
18 ma'am, I had -- he didn't come in there and
19 bother me, then. It was when they put in me
20 in the hole, and Ricky Owens said I was
21 going to stay there until I was ever
22 released; that's when he started coming in
23 all the time, because they knew that I

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1 click.

2 Q. You heard it click. Do you
3 know that it was a key that was unlocking
4 it, or do you know if they asked somebody up
5 front to unlock the door?

6 A. I just heard the click. I
7 couldn't say.

8 Q. So you never saw anybody with
9 a key, but you just knew the door clicked.

10 A. I'm not going to say that I
11 didn't see one with a key, but not as far as
12 I remember, ma'am.

13 Q. Okay. How long were you in
14 the hole after you got put in?

15 A. I went in twice to start off
16 with, and didn't stay but three, four, or
17 five days -- three, four days. Somewhere in
18 that vicinity. And then, I went into the
19 hole again around about December the 4th,
20 5th. Somewhere in that vicinity. And I
21 never come back out again until I was
22 transferred to Alex City Hospital ICU.

23 Q. Do you know when that was?

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1 that were written to you away from you?

2 A. He took everything away from

3 me at one time. See, they wouldn't allow me

4 to sleep up on the little bench that was in

5 the hole. They made me sleep next to where

6 the fetus and urinal was.

7 And they give me a little

8 blanket, which it wasn't but a half blanket.

9 It wouldn't cover your head and your feet at

10 the same time. And so I rolled up in it,

11 and I had my little letters and cards

12 throwed across there. He come in there and

13 told me, he said, I'm going to get all of

14 you -- Let's see. His exact words was,

15 you're going to move all them damn

16 do-daddy's there. I'm taking them away from

17 you. So I just told him, I said, you might

18 as well take them. You took everything

19 else.

20 And they got onto me about the

21 toilet paper. I had them wrapped around my

22 feet. And they took it away also. Said I

23 was wasting it, but my feet was cold. It

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1 for me.

2 Q. Your mom kept notes?

3 A. Yes, ma'am.

4 Q. But you personally never made

5 any notes?

6 A. Maybe by some of the letters I

7 sent home. But, no, ma'am, I just didn't

8 keep notes.

9 Q. Other than your parents, did

10 you correspond with anybody else while you

11 were in jail?

12 A. As far as on the outside?

13 Q. Uh-huh.

14 A. Just my girlfriend at that

15 time, Patty. And she's the one that told me

16 not to keep notes, because if Bradley or

17 someone had come in and found them, they

18 would whip me so much worser.

19 Q. Did you keep any of the

20 letters she wrote to you?

21 A. No, ma'am. Al Bradley took

22 them all away from me.

23 Q. Did he take any other letters

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1 Q. So he got to Kilby before you

2 did?

3 A. Yes, ma'am.

4 Q. Were you ever housed at Kilby

5 with him?

6 A. No, ma'am.

7 Q. Do you still have the letters

8 he wrote you?

9 A. No, ma'am.

10 Q. What did you do with those?

11 A. I throwed them away.

12 Q. You understand that Mr. Holly

13 is now dead?

14 A. Ma'am?

15 Q. Do you understand that

16 Mr. Holly is deceased?

17 A. No, ma'am. I didn't know he

18 was passed away.

19 Q. While you were in the Coosa

20 County jail, did you keep any kind of a

21 diary, take any notes?

22 A. Not in there. I told my

23 family what happened, and my mama kept it

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1 A. There was some of the inmates

2 that was in the block. But the only one I

3 can keep saying for sure because he stayed

4 right with me was Scotty Holly.

5 Q. And that's the only one you

6 can remember?

7 A. I can remember faces, but not

8 names, ma'am.

9 Q. Can you describe some of the

10 other inmates who were present?

11 A. Most of them was black people,

12 ma'am.

13 Q. All right. When was the last

14 time you had any conversation with

15 Mr. Holly?

16 A. When they moved us to the

17 state side, and then I was transferred to

18 Clay County; that was the last time that I

19 had talked to him. As far as personally,

20 now, he wrote me some letters from prison a

21 few times.

22 Q. Where was he in prison?

23 A. He was at Kilby at that time.

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1 was bipolar before I went into Coosa County.
2 That's why I was taking the Zyprexa. So,
3 yes, ma'am, they treated me for bipolar down
4 there also.

5 Q. So you were treated at
6 Lineville Mental Health for that?

7 A. Yes, ma'am. And also, they
8 had diagnosed me down there also with PTSD.

9 Q. When did you get diagnosed
10 with PTSD?

11 A. If I'm not mistaken now,
12 Lineville because I told them everything
13 that Coosa County and Al and them had done
14 to me, and they said that was my diagnosis
15 was PTSD. But I know for a fact, Dr. Faber
16 was one of the main ones that diagnosed me
17 with PTSD.

18 Q. To your knowledge, had you
19 ever been diagnosed with PTSD before?

20 A. No, ma'am. Never.

21 Q. No?

22 A. No, ma'am. Never.

23 Q. Okay. Were you taken to any

1 Q. Do you know why you were sent
2 to Clay County?

3 A. Because of this lawsuit.

4 Q. Who told you that's why they
5 were sending you to Clay County?

6 A. Ricky Owens.

7 Q. How long were you in Clay
8 County jail?

9 A. Probably about eight to nine
10 months. Somewhere in that vicinity.

11 Q. Who was the sheriff over at
12 Clay County at the time?

13 A. It was a lady, but I don't
14 recall what her name was. Ms. Turner was
15 over the jail, but I don't know what the
16 lady's name was that was the sheriff.

17 Q. Were you housed in general
18 population while you were at Clay County?

19 A. Yes, ma'am.

20 Q. Did you have any problems with
21 anybody at Clay County?

22 A. No, ma'am. They put me on the
23 workers for everybody else, because I didn't

1 give them no problem or nothing like that.
2 I could be a trustee. And they gave me an
3 award for staying there the whole time and
4 never having no disciplinary at all.

5 Q. Who gave you the award?

6 A. Ms. Turner.

7 Q. While you were at Clay County,
8 were you ever taken to a doctor?

9 A. Yes, ma'am. I went to mental
10 health.

11 Q. They took you over to mental
12 health?

13 A. Yes, ma'am.

14 Q. What mental health department
15 did you go see?

16 A. Lineville Mental Health, I
17 think's what it was. Because I was having
18 real night terrors of what Al had done to
19 me.

20 Q. Did you have any other
21 problems that caused you to go see a doctor
22 of any kind while you were at Clay County?

23 A. I was remembering while ago, I

1 was very cold in there.

2 Q. When did Mr. Bradley take all
3 your letters away from you?

4 A. About halfway through. It was
5 right around about Christmastime, because I
6 had Christmas cards up there also.

7 Q. Were you allowed to keep pen
8 and paper in your cell?

9 A. A pencil, I think it was that
10 I keep. As far as I can remember, it was a
11 pencil. But, yes, ma'am, I had paper also.
12 I had pencil, paper, and a Bible. That was
13 it.

14 Q. Now, when you got back out of
15 Caradale Lodge out of rehab, did you go back
16 into general population?

17 A. Yes, ma'am.

18 Q. Did you stay in general
19 population until such time as you were
20 transferred to Kilby?

21 A. No, ma'am. I stayed there
22 just a little length of time, and they
23 shipped me to Clay County to be housed.

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1 my teeth out.

2 Q. What about the eye doctor?

3 Have you ever --

4 A. No. No, ma'am.

5 Q. Clay County or Coosa County?

6 A. No, ma'am. Not as I remember.

7 Q. When you were at Clay County,

8 do you recall any of the inmates you were

9 housed with?

10 A. Oh, let me see. There was one

11 we called Pee Wee. I don't know what his

12 real name was. He's from Clay County.

13 Allen Dubarry was one of them. Duncan was

14 one of them. And that's about as many as I

15 remember. I know more by face than I did

16 name, ma'am.

17 Q. You never had any problems

18 with any of the inmates --

19 A. No, ma'am.

20 Q. -- or any of the jailers

21 while were you at Clay County?

22 A. No, ma'am. I had a excellent

23 record there.

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1 other doctor for any other like physical

2 problems while you were at Clay County?

3 A. I seen their regular doctor

4 there for my medications. I think that was

5 it. Clay county had their own doctors and

6 nurses. They wasn't like Coosa County.

7 They had their own staff.

8 Q. There was a doctor that would

9 come to the jail?

10 A. Yes, ma'am.

11 Q. Do you know who would come to

12 the jail?

13 A. No, ma'am. I don't remember

14 his name.

15 Q. Were you ever taken to an

16 outside facility?

17 A. Except for the mental health.

18 That's all.

19 Q. Okay. What about to the

20 dentist or to an eye doctor?

21 A. No, ma'am. The only time I

22 went to the dentist was in Coosa County when

23 Al kicked me in the mouth and broke two of

1 A. No, ma'am.

2 Q. What about Mr. Wilson?

3 A. No, ma'am.

4 Q. What about Wendy Roberson?

5 A. No, ma'am.

6 Q. Did you ever ask any of them

7 to take you to get a shower?

8 A. Yes, ma'am. Many times.

9 Q. What would they tell you?

10 A. Well, up to the cardboard in

11 the window, they just would tell me no.

12 They didn't have time right then, or there

13 wasn't enough people on working right then.

14 They had no way to watch me. But when they

15 cardboarded the window, half the time they

16 wouldn't even answer me.

17 Q. How often would you say you

18 were taken to get a shower?

19 A. Once or twice a week. Because

20 I remember there was a sign inside that said

21 every twenty-three hours that you're in the

22 hole, an hour you're supposed to be let out

23 to exercise. I never seen no exercise.

1 hole, I filled a few of them. Out while I

2 was in population, because I was getting

3 sick and they wouldn't give my medication to

4 me and I was staying nervous.

5 But once I got in the hole, I

6 filled out one every day that I could get

7 Mr. Lipscomb or the other guy, I can't

8 remember his name right now. But anyway,

9 them two would give me about ten, fifteen at

10 one time. Because I had told them that Al

11 and Wendy and Terry and them wouldn't give

12 me none.

13 Q. Okay. Let me make sure I

14 understand right. The only thing you ever

15 filled out while you were at the Coosa

16 County jail was a request to see a doctor?

17 A. Yes, ma'am. As far as I

18 remember.

19 Q. Do you ever recall filling out

20 any request to speak to the sheriff?

21 A. No, ma'am. I talked to him

22 when I was up there at the hole a couple

23 times. As I remember, I don't remember

1 filling none out.

2 Q. While you were in the hole,

3 were you taken out of the hole to take -- to

4 go and take a shower?

5 A. Maybe once or twice a week.

6 Q. Who would take you to go get

7 your showers?

8 A. I can't remember his name. I

9 know it's on the tip of my tongue. Him and

10 his wife both worked at the jail at the same

11 time. But also, Mr. Lipscomb, they would

12 carry me every now and then when they was on

13 and Ricky or Terry or Al and them wasn't up

14 there. Because they wouldn't do it for me

15 then. Mr. Lipscomb told me they'd get

16 chewed out if he ever caught -- was caught

17 carrying me in and out. And they was the

18 main ones that ever carried me.

19 Q. Who is Mr. Lipscomb, is he a

20 jailer?

21 A. Yes, ma'am.

22 Q. Okay. Did Mr. Bradley ever

23 take you to get a shower?

1 Q. You didn't file any grievances

2 while you were there?

3 A. No, ma'am. See, they explain

4 there about the grievances and all, where

5 Coosa County didn't.

6 Q. The first time when you got to

7 Coosa County, like in November, when you

8 were actually sent over from the Courthouse?

9 A. Yes, ma'am.

10 Q. You didn't know about the

11 grievance procedure?

12 A. No, ma'am. Nobody ever told

13 me.

14 Q. Nobody ever told you you could

15 file a grievance or write anything out or

16 any complaint?

17 A. No, ma'am.

18 Q. You never knew that the whole

19 time you were there?

20 A. Yes, ma'am. The only thing I

21 ever did know, the onliest thing they told

22 me how to do was fill out a doctor's report

23 to see a doctor. And once I was put in the

1 for my protection.

2 Q. For his protection or yours?

3 A. His. He laughed and said, it

4 will keep you from just accidentally falling,

5 and laughed at me.

6 Q. Did you have -- How did they

7 get your tray in there to feed you?

8 A. They'd open the door and scoot

9 it in and slam the door back.

10 Q. Would they come back and get

11 it?

12 A. Sometimes, and sometimes it

13 would be there that evening when they come

14 back and got two or three of them.

15 Q. Was there a tray hung on your

16 door?

17 A. Ma'am, I don't recall. I

18 don't think so. Because there was no way

19 for me to see outside, so I don't believe

20 there was. But I can't swear to it because

21 I'm not sure.

22 Q. Okay. You said earlier that

23 Wendy had come in after Mr. Bradley had

1 Ricky, or Al, or Wendy wasn't up front.

2 Q. Did Al ever let you out to go

3 to the restroom?

4 A. No, ma'am. The onliest thing

5 he ever done was beat me.

6 Q. What about Wendy, did you ever

7 ask her if you could get out and go to the

8 restroom?

9 A. Yes, ma'am. Many times.

10 Q. Did she ever take you?

11 A. No, ma'am.

12 Q. What about Mr. Wilson?

13 A. No, ma'am.

14 Q. Do you know what shift

15 Mr. Bradley worked?

16 A. No, ma'am.

17 Q. What about Ms. Roberson?

18 A. No, ma'am.

19 Q. What about Mr. Lipscomb?

20 Ma'am, when you're in there

21 and that cardboard window, I couldn't tell

22 daylight from dark.

23 Q. And when did they cardboard

1 the window?

2 A. About a week and a half after

3 I was in the hole.

4 Q. Which time?

5 A. When I was in the hole

6 permanently from, what was it, December the

7 5th on. Somewhere in that vicinity. They

8 cardboarded it up permanently. And I never

9 seen out no more; except, like I say, when

10 Mr. Lipscomb and them would carry me to the

11 bathroom.

12 Q. All right. So in December,

13 they put -- who put the cardboard over your

14 window?

15 A. Ricky Owens did.

16 Q. Did anybody tell you why they

17 were putting it over your window?

18 A. No, I asked him. He said he

19 was cardboarding over the window because

20 they was tired of all my damn hollering. I

21 asked him when he was going to let me out of

22 there; and he said, your going to stay in

23 that damn hole as long as you're in my jail

1 Q. You never went out to exercise

2 during the whole entire time you were in --

3 A. No, ma'am. The whole time I

4 was in the hole.

5 Q. Anybody ever ask you if you

6 wanted to go out?

7 A. No, ma'am.

8 Q. So you never refused to go

9 out?

10 A. No, ma'am. I never refused.

11 Q. What if you needed to go to

12 the restroom?

13 A. Sometimes according to who was

14 on, other times I'd go two and three days

15 using the restroom on that little crate that

16 was in the floor. And I'd wipe my behind

17 with candy wrappers.

18 Q. What were you supposed to do

19 if you needed to use the restroom?

20 A. Use the hole right there.

21 Unless, like I said, Mr. Lipscomb or that

22 other guy, if him and his wife worked, they

23 would carry me to the restroom if Terry,

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Q. Did he tell you how long your ribs had been broken?

A. No, ma'am. Not as I know of. Because like I said, I was unconscious nine, ten, eleven days. Something like that.

Q. Did you ever tell anybody other than Terry Wilson about Mr. Bradley hitting you?

A. Yes, ma'am.

Q. Who else did you tell?

A. I told Wendy one time. She didn't say nothing back. Ricky was standing outside my door, the sheriff. I hollered and told him. But that didn't -- I mean, when was this treatment going to end, what Al was doing to me. And he never answered me back. And then, I heard his voice right outside the window, and I know he was there. I know he heard me. They'd only hear me when it was to their benefit.

Q. Did you tell anybody else?

A. I told Wendy. I told Terry. I told Al. Let me see. Let me think to

about it?

A. I told Terry Wilson. I asked him when was he going to stop Al from doing that. That's when Al had cracked two of my ribs on the right-hand side. He grabbed me by the neck -- in the back of the neck and slung me in the bullpen. I mean, slung me in the hole and slammed the door.

Q. And he broke two of your ribs?

A. No, ma'am. Al did. He cracked two of my ribs; he didn't brake them.

Q. How do you know that he cracked two of your ribs?

A. Because when I went into a brain-dead coma, I was finally sent to Alex City Hospital. And Dr. Law was my doctor there. He said I had two cracked ribs on the right-hand side and hypothermia in both legs.

Q. Was this the doctor at Alex City Hospital?

A. Yes, ma'am.

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comment, wash the damn blood off your face?

A. Al Bradley.

Q. Did Wendy say anything to you?

A. No. She just laughed the whole time. That's what they all done, the ones that didn't hurt me, is they'd laugh about it.

Q. Did you tell Wendy that he had hit you?

A. She knowed. She was standing right there at the corner. She couldn't help but see it.

Q. You think she saw him hitting you?

A. Yes, ma'am.

Q. Did she ever tell you she saw him hitting you?

A. No, ma'am.

Q. It's your belief that she did?

A. Yes, ma'am. She wasn't five to ten -- five to eight foot away from me. She had to see it.

Q. Did you tell anybody else

beaten you in the face, and she went with him to take to you the restroom to wash your face off?

A. Yes, ma'am. Al had whipped me down and kept beating me in the face. Finally, he must have got tired of it, because he got up. I had blood coming out the corner of my eye, corner of my nose, corner of my mouth, and he hollered for Wendy because I was so weak I couldn't get up, hardly. And they got up under each arm and toted me in there to the bathroom sink. He said, clean your damn face up. So I wiped all the blood off my face.

And then, Wendy and Al was helping me back to the hole, totting me back in there to the hole, and I seen daddy standing right there in the front. And I started hollering at him, begging him, don't let them put me in the hole again. So they throwed me in there, and locked the door back up.

Q. They told you -- Who made the

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1 teeth out, and broke me every which way but
2 lose. And I couldn't put my hands on him
3 back, because they would have gave me that
4 much more time.

5 Q. When did he -- the incident
6 with the broken teeth happen?

7 A. I was asleep in the floor,
8 they was trying to keep me heavy drugged
9 out, and I heard the click of the door. So
10 I raised up, and I didn't raise up quick
11 enough. He football kicked me right in the
12 side of my mouth and broke two of my teeth
13 off right there (indicating), and cracked
14 that one right there (indicating).

15 Q. Were you taken to a dentist?

16 A. Yes, ma'am. A few days after
17 that, I made complaints to Wendy and to
18 Terry and told them that Al broke two of my
19 teeth off, and I need to go to the dentist.
20 I had a bad toothache. They wouldn't give
21 me nothing for the toothache or nothing.
22 And it was a few days after that they
23 finally took me to a dentist in Alex -- I

1 Q. Did you talk to Dr. James
2 about anything that had happened to you over
3 at the jail?

4 A. No, ma'am.

5 Q. Is there any reason why you
6 did not?

7 A. Ma'am, the police is sitting
8 right there with you. I was scared to.
9 Because they would beat me that much worsen
10 if I'd said anything. Al done made his
11 threats to me. If I tell anybody, they'd
12 get me again.

13 Q. Tell me about the threats that
14 he made to you.

15 A. If I said anything -- He would
16 say it as he was beating me. Say one word
17 like you did in front of the visitation
18 room, you say one word and you won't see
19 those son-of-bitch. He made threats to me
20 two or three times about me saying anything
21 to anybody. He said, you think this
22 ass-whipping's bad, wait until the next one.
23 He's done cracked two ribs, knocked two

1 A. You couldn't talk straight to
2 them. A lot of the times you had to
3 whisper. And, no, ma'am, I didn't tell my
4 brother nothing.

5 Q. During any of the time that
6 you were in the hole, did your attorney ever
7 come to see you?

8 A. No, ma'am. Not as I recall.

9 Q. Do you recall ever having a
10 conversation with your attorney about any of
11 this?

12 A. No, ma'am. Not as I recall.

13 Q. Were you taken to see
14 Dr. James during any of the time that you
15 were in the hole?

16 A. I think the second time I seen
17 Dr. James is when they went ahead and put me
18 on in the hole. I had a seizure in B block
19 and fell over a mop bucket, and I don't
20 remember who come in or nothing like that,
21 but I think they took me to the hospital or
22 to see Dr. James, one of the two, and that's
23 when they put me in the hole permanently.

1 make sure. That's all that I remember,
2 besides my family. That is as I can
3 remember. Now, Scotty Holly, he knowed it,
4 of course; he was there a few times.

5 Q. But that was back when you
6 were in general population; right?

7 A. Yes, ma'am. There wasn't
8 nobody in the hole; I was by myself.

9 Q. Okay. Did you tell -- You
10 said you told your parents; right?

11 A. Yes, ma'am.

12 Q. Do you have any siblings,
13 Bryan?

14 A. What do you mean?

15 Q. Do you have a brother or
16 sister?

17 A. Yes, ma'am. I've got a
18 brother.

19 Q. A brother. Did he ever come
20 to see you while you were in jail?

21 A. One time.

22 Q. Did you talk to him about any
23 of this that was going on?

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1 like the bugs in the food or something like
2 that. I had said something about it when it
3 had happened. It had happened a long time
4 before that, but Mr. Barton was standing
5 there and Al slapped me.

6 Q. And Mr. Barton is an inmate?

7 A. Yes, ma'am. He lives right
8 here in Coosa County.

9 Q. Have you seen him since you --

10 A. Yes, ma'am. Just a few
11 minutes ago.

12 Q. Mr. Barton you did?

13 A. Yes, ma'am.

14 Q. Have you talked to him about
15 this lawsuit?

16 A. Yes, ma'am. He's ready to
17 testify any time.

18 Q. What was Mr. Barton in for?

19 A. I don't really know, to tell
20 you the truth. But he only had to do like
21 ninety days, and that was it.

22 Q. You said Mr. Barton was ready
23 to testify. What can he testify to?

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1 and told anything.

2 Q. Did he ask you what happened
3 to you?

4 A. No, ma'am.

5 Q. He just did the dental work
6 that was necessary and let you go?

7 A. They do whatever the police is
8 telling them to. You don't say a word.

9 Q. Who drove you over to the
10 dentist?

11 A. I'm thinking it was Steve Hey,
12 or Brett Oaks, one of the other two that was
13 there. It was one of them two.

14 Q. Did you tell either one of
15 them what had happened?

16 A. No, ma'am. Like I said, you
17 can't say nothing. I mean, they'll beat you
18 twice as bad.

19 Q. All right. Did you ever have
20 any problem with either one of those
21 officers?

22 A. No, ma'am.

23 Q. Have you told me about all the

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1 incidences with Mr. Bradley, that you can
2 recall?

3 A. Well, the broom, he tried to
4 hit me in the rectum. He fist whipped me
5 twice. He kicked me in the mouth. He
6 kicked me in the side many a times. Slapped
7 me in the face when I was going to
8 visitation. Slapped me in the block.
9 Slapped me in front of Mr. Barton.

10 Q. And when was that?

11 A. When was which one?

12 Q. When he slapped you in front
13 of Mr. Barton.

14 A. Oh, that was after I had come
15 back from Caradale Lodge and everything. I
16 had done come out of the hospital and all
17 that. They said the doctor had wrote a
18 prescription out and they couldn't lock me
19 back up for ninety days, because I was on a
20 strict liver diet and everything. And they
21 come and locked me up anyway.

22 And there was something said;
23 I don't remember exactly. I think it was

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1 mean, in Sylacauga. And he cut the teeth
2 out and patched up where they had cracked
3 that one right there (indicating).

4 Q. Who did they take you to?

5 A. I don't recall what dentist it
6 is. I can tell you where it's at. It's
7 right behind the Sonic on Ft. Williams
8 there. But I don't know his name. It was
9 like Mimms, or something like that.

10 Q. Prior to being incarcerated in
11 the Coosa County jail, did you have a
12 dentist that you saw regularly?

13 A. Yes, ma'am. Dr. Mack Peters.

14 Q. Where is Dr. Peters?

15 A. Sylacauga. I seen him
16 regularly. I didn't have no teeth problems,
17 hardly.

18 Q. And when you went to see this
19 dentist that they took you to, did you tell
20 him what happened to you?

21 A. No, ma'am. Like I said, the
22 police is sitting right there. And I would
23 have got beat twice as bad after I went back

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